

REMARKS

Claims 1 and 2 are all the claims pending in the application. Claims 3 and 4 have been canceled.

Claim Rejections - 35 U.S.C. § 102(b)

- Claim 1 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Miller (U.S. Patent No. 3,895,851). Applicants respectfully traverse the rejection in view of the following arguments.

Claim 1 has been amended to include the subject matter of claims 3 and 4. Claim 1 now sets forth a nickel plating layer in which the material molecular crystals are dispersed in an eutectoid condition and in which the plating layer has a dull finish. The Examiner does not assert that Miller teaches, and Miller does not teach, a plating layer with a dull finish or with material molecular crystals that are dispersed in a eutectoid condition. Therefore, claim 1 is not anticipated by Miller.

The Examiner has however, rejected claims 3 and 4 as being unpatentable as obvious over Miller. Since claim 1 now includes the subject matter of claims 3 and 4, the Examiner's obviousness rejections will be addressed with regard to claim 1.

As stated above, claim 1 sets forth a nickel plating layer in which the material molecular crystals are dispersed in an eutectoid condition and in which the plating layer has a dull finish. First, the Examiner never identified why one of ordinary skill in the art would have been motivated to modify Miller to provide a dull finish. While the subject application recognizes the advantages of a dull finish (*See*, for example, the non-limiting embodiment discussed in the

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specification at the paragraph bridging pages 11 and 12), the Examiner has not indicated where in the prior art it has been recognized. Additionally, there is no indication that the cited references even contemplate finishes or the effect of a finish on a press-clamping terminal. Since the Examiner failed to address the dull finish feature at all, he has certainly failed to identify the necessary motivation for modifying Miller to meet claim 1.

Also, the Examiner asserts that it would have been obvious for one of ordinary skill in the art to modify Miller to include a material molecular crystal which is dispersed in an eutectoid condition. However, the prior art does not discuss dispersal condition, and thus does not appear to recognize the advantages recognized in the subject application. An eutectoid finish allows a surface hardness of a nickel plating layer to be increased beyond normal values. Without an eutectoid finish, the surface hardness of a nickel plating layer is generally limited to 200 to 250 Hv or to 300 to 400 Hv if a gloss agent is used.

A device consistent with claim 1 can have an increased nickel plating surface hardness due to the material molecular crystals dispersed in an eutectoid condition. Miller fails to teach or suggest anything related to such a feature. Additionally, the Examiner has failed to identify any teaching or suggestion in the prior art to provide such a feature for the plating layer of a press-clamping terminal. Therefore, the Examiner's assertion that it would have been obvious to modify Miller to provide a plating layer with material molecular crystals dispersed in an eutectoid condition is improper. At least for the above-stated reasons, claim 1 is allowable over Miller.

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- Claim 1 also stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Bolton (U.S. Patent No. 3,912,358). In addition to the features stated above, claim 1 sets forth that the plating layer is a nickel composite. Bolton at least fails to teach a nickel composite plating layer, a plating layer with a dull finish and a plating layer that is dispersed in an eutectoid condition. Therefore, claim 1 is allowable over Bolton.

Claim Rejections 35 U.S.C. § 103

Claims 2-4 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Miller. Claims 3 and 4 have been canceled, rendering the rejection of those claims moot. Claim 2 depends from claim 1. Even if it were appropriate to modify Miller's plating layer as suggested by the Examiner, the above-noted deficiencies of Miller with respect to claim 1 would not be corrected. Since, even a modified Miller would not meet all of the requirements of claim 1, it certainly would not meet all of the requirements of dependent claim 2.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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